UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF TENNESSEE NASHVILLE DIVISION

PAUL E. AMADI]	
Plaintiff,]	
]	
v.]	No. 3:09-0750
]	Judge Campbell
DELTA AIRLINES]	
Defendant.]	

ORDER

The Court has before it a *pro se* civil complaint (Docket Entry No. 1) and an application to proceed in forma pauperis (Docket Entry No. 2).

The plaintiff is a resident of Lavergne, Tennessee. It appears from the application that he lacks sufficient financial resources to pay for the costs of the action. Therefore, the Clerk will file the complaint in forma pauperis. 28 U.S.C. § 1915(a). However, process shall NOT issue.

The plaintiff attempted to board an aircraft operated by the defendant in Lagos, Nigeria. A dispute, however, arose between the plaintiff and defendant's employee over the size of his luggage. After more than an hour, the plaintiff boarded his flight but had been forced to abandon some of his luggage and personal property. The plaintiff demands damages from the defendant in an amount "not to exceed \$20,000."

Before a lawsuit can proceed, the plaintiff must show that his claim falls within the scope of this Court's subject matter jurisdiction. <u>Perkins, Inc. v. Werner and Pfleiderer Corp.</u>, 710 F.2d 1561, 1565 (D.C. Cir.1983). This Court has jurisdiction to adjudicate claims involving a federal question, 28 U.S.C. § 1331, or claims involving parties with diversity of citizenship. 28 U.S.C. §

1332.

In this case, the amount in controversy does not meet or exceed the amount needed to

establish diversity jurisdiction. Thus, plaintiff's claim is only actionable in this Court if it involves

a federal question. The plaintiff contends that the defendant's employee forced him to abandon some

of his luggage and personal property. Such a dispute does not involve a question of federal law.

A district court is obliged to consider matters of jurisdiction, *sua sponte* if necessary. <u>Hadley</u>

v. Werner, 753 F.2d 514, 516 (6th Cir. 1985). Here, the plaintiff has failed to show that his claim falls

within the scope of this Court's jurisdiction. Accordingly, this action is hereby DISMISSED for lack

of subject matter jurisdiction.

Entry of this order shall constitute the judgment in this action.

It is so ORDERED.

Todd Campbell

United States District Judge